

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

CHAPTER 7 CASE

Stephen Andrew Fleming

CASE NO. 09-35210 DDO

Debtor.

ORDER

This case came before the court on the motion of TCF Mortgage Corporation its successors and/or assigns through its servicing agent US Bank N.A. , seeking relief from the stay imposed by 11 U.S.C. § 362. Based upon all of the files and records,

IT IS ORDERED:

1. The movant, its assignees and successors in interest, are granted relief from the stay imposed by 11 U.S.C. § 362 with regard to that certain mortgage deed dated May 30, 2003, executed by Stephen A Fleming , a single person, recorded on August 13, 2003, as Document No. 2093805, covering real estate located in Dakota County, Minnesota, legally described as follows, to-wit:

Lot 4 BLock 4 Apple Ponds according to the recorded plat thereof, Dakota County
Minnesota
and commonly known as 4282 Sunrise Rd, Eagan Minnesota

and may pursue its remedies under state law in connection with the subject note and mortgage deed.

2. The movant, its assignees and successors in interest, at their option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout/loss mitigation agreement. The movant may contact the debtor via telephone or written correspondence to offer such an agreement. Any such agreement shall be non-recourse unless included in a reaffirmation agreement.

3. That notwithstanding Federal Rules of Bankruptcy Procedure 4001(a)(3), this order is effective immediately.

Dated: December 2, 2009

/e/ Dennis D. O'Brien

United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 12/02/2009 Lori Vosejpka, Clerk, by DLR
--